

**United States Department of the Interior
Bureau of Land Management**

**Environmental Assessment
For the grazing lease renewal on the Middle Hunt Creek
Allotment #04190**

Little Snake Field Office
455 Emerson Street
Craig, Colorado

DOI-BLM-CO-N010-2013-0078-EA

November 2013



Table of Contents

CHAPTER 1 - INTRODUCTION.....	1
1.1 IDENTIFYING INFORMATION	1
1.2 PROJECT LOCATION AND LEGAL DESCRIPTION	1
1.3 BACKGROUND	1
1.4 PURPOSE AND NEED.....	2
1.4.1 Decision to be Made	2
1.5 PLAN CONFORMANCE REVIEW	2
1.6 PUBLIC PARTICIPATION	3
CHAPTER 2 - PROPOSED ACTION AND ALTERNATIVES.....	3
2.1 INTRODUCTION	3
2.2 ALTERNATIVES ANALYZED IN DETAIL	4
2.2.1 Proposed Action.....	4
2.2.2 No Action Alternative (Current Authorized Use).....	4
2.2.3 No Grazing Alternative.....	4
2.3 ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL.....	5
CHAPTER 3 – AFFECTED ENVIRONMENT AND EFFECTS.....	5
3.1 INTRODUCTION	5
3.3 BIOLOGICAL RESOURCES	8
3.3.1 Invasive/Non-Native Species.....	8
3.3.2 Wetlands and Riparian Zones	8
3.4 HERITAGE RESOURCES AND HUMAN ENVIRONMENT	9
3.4.1 Cultural Resources	9
3.4.2 Native American Religious Concerns.....	13
3.4.3 PALEONTOLOGICAL RESOURCES.....	14
CHAPTER 4 – PUBLIC LAND HEALTH STANDARDS	15
4.1 INTRODUCTION	15
4.2 COLORADO PUBLIC LAND HEALTH STANDARDS	15
4.2.1 Standard 1	15
4.2.2 Standard 2	16
4.2.3 Standard 3	16
4.2.4 Standard 4	16
4.2.5 Standard 5	16

CHAPTER 1 - INTRODUCTION

1.1 IDENTIFYING INFORMATION

PROJECT NAME: Grazing lease renewal on the Middle Hunt Creek Allotment #04190.

CASEFILE/ALLOTMENT NUMBER: 0503739/04190

1.2 PROJECT LOCATION AND LEGAL DESCRIPTION

LEGAL DESCRIPTION: see Allotment Map, Attachment 1.

Middle Hunt Creek #04190

T2N R86W section 3

106 acres BLM

COUNTY AND GENERAL LOCATION: Southwest Routt County, five miles west of the town of Yampa CO, adjacent to the Routt National Forest to the west, and at the eastern side of the geographical area known as the Flattops.

LANDSCAPE DESCRIPTION: The project area can be generally described as Coniferous Forest-Alpine Meadow. Elevations range from 8,400 to 8,600 feet and the area receives between 16 and 18 inches of precipitation per year. For a detailed description of the landscape found in the project area, please refer to the LSFO RMP (October 2011) at: http://www.blm.gov/co/st/en/fo/lsfo/plans/rmp_revision/rmp_docs.html

APPLICANT: John & Sara Redmond.

1.3 BACKGROUND

BLM records show the Redmond family has held public land grazing leases in the area, including the current allotment, since 1939. In 2008 James and Wanda Redmond leased the base property attached to the grazing preference for the Middle Hunt Creek Allotment to their son John, a name change transfer was completed. John Redmond has held the grazing lease since that time and grazing leases have been issued in three year increments coinciding with base property leases. John Redmond has since acquired his parent's base property into sole ownership and is applying for a ten year grazing lease with minor changes to terms and conditions of previously authorized leases. Mr. Redmond has a US Forest Service grazing permit that borders the BLM allotment on the south and west side, his private property lies within his FS permit to the south and to the north and east of the BLM allotment. His FS permit is authorized for 40 pairs of cattle from 07/16 to 09/30 for 100 Animal Unit Months (AUMs). Mr. Redmond runs a rotational grazing system between private land, FS permit, and the BLM lease. The BLM lease will reflect the Season of Use (SOU) that will be run in the rotation. In summary, there will not be cattle on the BLM allotment for the full season of use and livestock numbers will vary, but the 34 authorized AUMs may be used at any given time throughout the authorized season of use depending on the rotation of that given year.

1.4 PURPOSE AND NEED

BLM lease #0503739 which authorizes livestock grazing on the Middle Hunt Creek Allotment #04190 expires on November 15, 2013. This lease is subject to renewal at the discretion of the Secretary of the Interior, who delegated the authority to BLM, for a period of up to ten years. BLM has the authority to renew the livestock grazing permits and leases consistent with the provisions of the *Taylor Grazing Act*, *Public Rangelands Improvement Act*, *Federal Land Policy and Management Act*, and Little Snake Field Office's *Record of Decision and Resource Management Plan*. This plan includes the *Colorado Public Land Health Standards* and the *Guidelines for Grazing Management*.

BLM is required to provide for public uses of public land resources under the principles of multiple use and sustained yield. Among these uses is the allocation of forage for the purposes of domestic livestock grazing. BLM allocates grazing privileges in a manner that ensures orderly and sustainable utilization of forage while ensuring that wildlife habitat, vegetative, and soil resources remain healthy and provide for a wide array of other public benefits.

The following Environmental Assessment (EA) will analyze the impacts of livestock grazing on public land managed by the BLM. The analysis will recommend terms and conditions to the permit/lease which improve or maintain public land health. The Proposed Action and alternatives will be assessed for meeting land health standards.

In order to graze livestock on public land, the livestock producer (permittee) must hold a grazing lease. The grazing permittee has a preference right to receive the lease if grazing is to continue. While the land use plan (Little Snake Resource Management Plan) allows for grazing to continue, this EA will be a site specific look to determine if grazing should continue as provided for in the land use plan and to identify the conditions under which it can be renewed. The action is needed to respond to an expiring lease.

1.4.1 Decision to be Made

The BLM will decide whether to issue the lease with the same terms and conditions, new terms and conditions, or to withhold issuance of the lease.

1.5 PLAN CONFORMANCE REVIEW

The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: Little Snake Record of Decision and Resource Management Plan (RMP)

Date Approved: October 2011

Decision Language: The Proposed Action and all alternatives are consistent with the Little Snake Record of Decision and Resource Management Plan, Livestock Grazing Management goals to manage resources, vegetation, and watersheds to sustain a variety of uses, including

livestock grazing, and to maintain the long-term health of the rangelands; provide for efficient management of livestock grazing allotments; and contribute to the stability and sustainability of the livestock industry.

Section/Page: 2.14 Livestock Grazing/RMP-41

1.6 PUBLIC PARTICIPATION

1.6.1 Scoping and Alternative Development: NEPA regulations (40 CFR §1500-1508) require that the BLM use a scoping process to identify potential significant issues in preparation for impact analysis. The principal goals of scoping are to allow public participation to identify issues, concerns, and potential impacts that require detailed analysis.

External Scoping Summary: The action in this EA will be included in the NEPA log posted on the LSFO web site: http://www.blm.gov/co/st/en/BLM_Information/nepa/lsfo.html.

The Little Snake Field Office sent out a Notice of Public Scoping to all interested parties on December 28, 2012 to determine the level of public interest, concern, and resource conditions on the grazing authorizations that were due for renewal in fiscal year 2014. A Notice of Public Scoping was posted on the Internet, at the Colorado BLM Home Page, asking for public input on grazing permit and lease renewals. Individual letters were sent to the affected permittee/lessee informing them that their permit and/or lease was due for renewal and requesting any information they wanted included or taken into consideration during the renewal process. The issuance of a grazing lease is being carefully analyzed within the scope of the specific action being taken, resources issues or concerns, and public input received. No comments were received.

Persons/Agencies Consulted: John & Sara Redmond.

Internal Scoping Summary: The Proposed Action and alternatives were introduced to the Little Snake NEPA interdisciplinary team on September 16, 2013. Staff members representing all disciplines that are analyzed in this document were present.

Issues Identified: None.

CHAPTER 2 - PROPOSED ACTION AND ALTERNATIVES

2.1 INTRODUCTION

The purpose of this chapter is to provide information on the Proposed Action and Alternatives. Alternatives considered but not analyzed in detail are also discussed.

2.2 ALTERNATIVES ANALYZED IN DETAIL

2.2.1 Proposed Action

Renew BLM lease #0503739 which authorizes livestock grazing on the Middle Hunt Creek Allotment #04190 the lease would be renewed as follows:

From:

John Redmond
Authorization #0503937

Allotment	Livestock		Dates		% Public Land	AUMs
	Number	Kind	From	To		
Middle Hunt Creek	6	Cattle	05/01	09/30	100	30
#04190	4	Cattle	06/01	06/30	100	<u>4</u>
					Total	34

To:

John & Sara Redmond
Authorization #0503937

Allotment	Livestock		Dates		% Public Land	AUMs
	Number	Kind	From	To		
Middle Hunt Creek #04190	9	Cattle	06/03	09/25	100	34

Other Terms and Conditions

(1) The permittee is allowed five days flexibility moving into and out of the allotment, as long as the amount of specified grazing use (AUMs) is not exceeded.

2.2.2 No Action Alternative (Current Authorized Use)

The grazing lease would be renewed with no changes to previously authorized use.

2.2.3 No Grazing Alternative

The lease would not be renewed and the public parcel that consists of the allotment would be removed from grazing use.

2.3 ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL

A reduced grazing alternative was considered but not analyzed in detail because there was no justification to reduce AUMs as all Land Health Standards and Riparian Proper Functioning conditions are being met.

CHAPTER 3 – AFFECTED ENVIRONMENT AND EFFECTS

3.1 INTRODUCTION

Affected Resources:

The CEQ Regulations state that NEPA documents “must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail” (40 CFR 1500.1(b)). While many issues may arise during scoping, not all of the issues raised warrant analysis in an environmental assessment (EA). Issues will be analyzed if: 1) an analysis of the issue is necessary to make a reasoned choice between alternatives, or 2) if the issue is associated with a significant direct, indirect, or cumulative impact, or where analysis is necessary to determine the significance of the impacts. Table 1 lists the resources considered and the determination as to whether they require additional analysis.

Table1. Resources and Determination of Need for Further Analysis

Determination ¹	Resource	Resource Issue/Rationale for Determination
Physical Resources		
NI	Air Quality	Activities associated with grazing that may affect air quality, namely dust and exhaust from ranch operation vehicles as well as dust from livestock hoof action, fall below EPA emission standards for the six criteria pollutants of concern (sulfur dioxide, nitrogen oxide, ground-level ozone, carbon monoxide, particulate matter [both PM2.5 and PM10], and lead). Furthermore, ranch operation and livestock activities are not a significant source of these pollutant emissions that do occur in Routt County. Impacts to air quality caused by either alternative are therefore considered negligible.
NP	Floodplains	There is no 100-year floodplain present on public lands within the allotment.
NI	Hydrology, Ground	There would be no impact to ground water hydrology with any alternative.
NI	Hydrology, Surface	See Water Quality, Surface in Chapter 3.
NI	Minerals, Fluid	There would be no impact to fluid minerals with any alternative.
NI	Minerals, Solid	There would be no impact to solid minerals with any alternative.
NI	Soils	Cobbly loam and stony clay soils dominate the steep mountain slopes of the allotment, which are highly susceptible to erosion unless ground cover is maintained. The excellent condition of the vegetative community in this allotment, including percent cover, vigor, and species diversity, combined with the low livestock numbers and short time in the allotment with the rotational grazing system protects/mitigates any impact to soil community form and function and

Determination ¹	Resource	Resource Issue/Rationale for Determination
		validates the no impact determination. All Land Health Standards are being met. No obvious beneficial impacts would be incurred with the No Grazing Alternative.
NI	Water Quality, Ground	There would be no impact to ground water quality from any alternative.
NI	Water Quality, Surface	Any surface water from the allotment would flow into Middle Hunt Creek, a perennial tributary to the upper Yampa River. There are no water quality impairments or suspected water quality issues identified by the Colorado Department of Public Health and Environment Water Quality Control Commission for surface waters that would be influenced by the grazing activities proposed within the allotment. The excellent condition of the vegetative community in this allotment, including percent cover, vigor, and species diversity, combined with the low livestock numbers and short time in the allotment with the rotational grazing system protects/mitigates any impact to surface water quality and validates the no impact determination. All Land Health Standards are being met. No obvious beneficial impacts would be incurred with the No Grazing Alternative.
Biological Resources		
PI	Invasive, Non-native Species	See detailed analysis in Chapter 3.
NI	Migratory Birds	The allotment provides habitat for a variety of migratory bird species. Due to the low number of AUMs and the transitory nature of grazing in the allotment, no impacts to migratory birds would be expected. No beneficial impacts would be incurred with the No Grazing Alternative.
NP	Special Status Animal Species	The Middle Hunt Creek Allotment does not provide habitat for any special status wildlife species.
NP	Special Status Plant Species	There are no federally listed threatened, endangered, or BLM sensitive plant species populations identified on this allotment.
NI	Upland Vegetation	Over the course of the growing season vegetative vigor and growth exceeds grazing use. There is no monitoring or visual observations that indicates grazing or utilization is a resource concern. The resilience of the flora community in this allotment combined with the low livestock numbers and short time in the allotment with the rotational grazing system validates no impact. All Land Health Standards are being met. No beneficial impacts would be incurred with the No Grazing Alternative.
PI	Wetlands and Riparian Zones	See detailed analysis in Chapter 3.
NI	Wildlife, Aquatic	No impacts are expected from the Proposed Action.
NI	Wildlife, Terrestrial	The allotment provides habitat for a variety of wildlife species. Due to the low number of AUMs and the transitory nature of grazing in the allotment, no impacts to wildlife or habitat would be expected. No beneficial impacts would be incurred with the No Grazing Alternative.
NP	Wild Horses	There are no HMAs within or in close proximity to the allotment.
Heritage Resources and the Human Environment		
PI	Cultural Resources	Cultural resources inventory should be conducted within 10 years of permit issuance. Subsequent inventory should focus on potential areas of livestock concentration and where background research indicates the potential for cultural resources. If new assessment finds NRHP-eligible sites or features are subject to adverse effects, mitigation measures will

Determination ¹	Resource	Resource Issue/Rationale for Determination
		be identified and implemented in consultation among the BLM-LSFO and SHPO. See detailed analysis in Chapter 3.
NI	Environmental Justice	The Proposed Action would not impact populations and would not have disproportionate or adverse human health or environmental effect on minority or low-income populations.
NP	Hazardous or Solid Wastes	There are no hazardous waste concerns in the allotment.
NP	Lands with Wilderness Characteristics	Subject to WO-IM 2011-154 and in accordance with BLM policy, the proposed project area did not meet the minimum size requirements for inventory finding of the presence of lands with wilderness characteristics. Size requirements are based on whether parcels are within roadless areas greater than 5,000 acres or are directly adjacent to designated wilderness or WSAs.
NP	Native American Religious Concerns	There are no known items, sites, or landscapes determined as culturally significant to the tribes within or immediately adjacent to the allotment area. The alternatives do not prevent access to any known sacred sites, prevent possession of sacred objects, or interfere with the performance of traditional ceremonies and/or rituals.
PI	Paleontological Resources	See detailed analysis in Chapter 3.
NI	Social and Economic Conditions	There would not be any change to local social or economic conditions.
NI	Visual Resources	The proposed project is located in a VRM Class III area where moderate change to the characteristic landscape would be allowed as long as the existing characteristics of the landscape are partially retained. Visual Resource Inventory is moderate based on Scenic Quality Rating of B and Sensitivity Level Rating of Moderate. No impacts to visual resources would be anticipated for all alternatives.
Resource Uses		
NI	Access and Transportation	There would be no impacts to access and transportation with any alternatives.
NI	Fire Management	All alternatives would have no impact to fire management.
NI	Forest Management	All alternatives would have no impact to forest management.
NI	Livestock Operations	No impacts to livestock operations would be incurred under either alternative that continues grazing. If the No Grazing Alternative were to be chosen livestock grazing adjustments would be required to continue grazing private land and Forest Service permit around the BLM parcel.
NP	Prime and Unique Farmlands	No federally designated Prime and/or Unique Farmlands are present on public lands within the allotment.
NI	Realty Authorizations, Land Tenure	There are two realty authorizations for irrigation ditches within the project area; however they would not be affected by the Proposed Action or alternatives. There are no land tenure adjustments currently within the project area.
NI	Recreation	There would be no impacts to recreation with any alternative.
Special Designations		
NP	Areas of Critical Environmental Concern	There are no ACECs within or near the allotment.

Determination ¹	Resource	Resource Issue/Rationale for Determination
NP	Wild and Scenic Rivers	There are no WSRs within or near the allotment.
NP	Wilderness Study Areas	There are no WSAs within or near the allotment.

¹ NP = Not present in the area impacted by the Proposed Action or Alternatives. NI = Present, but not affected to a degree that detailed analysis is required. PI = Present with potential for impact analyzed in detail in the EA.

3.3 **BIOLOGICAL RESOURCES**

3.3.1 Invasive/Non-Native Species

Affected Environment: Invasive plant species and noxious weeds occur within or near the affected area. Canada thistle and Hound's tongue are noxious weeds within or near the project area. Other species of noxious weeds could be introduced by vehicle traffic, livestock, wildlife and other means of dispersal. Principals of Integrated Pest Management (IPM) are employed to control noxious weeds on BLM lands in the Little Snake Field Office.

Environmental Consequences, Proposed Action and No Action: Access to public lands for dispersed recreation, hunting, livestock grazing management, livestock and wildlife movement, as well as wind and water, can cause weeds to spread. Surface disturbance from livestock concentration and human activities associated with grazing operations can increase weed presence. The largest concern in the allotment would be for biennial and perennial noxious weed infestations to establish and not be detected. Once an infestation is detected it could be controlled with various IPM techniques. Land practices and land uses by the livestock operator and their weed control efforts and awareness would largely determine the identification of potential weed infestations within the allotment.

Environmental Consequences, No Grazing Alternative: This alternative removes the spread and introduction of weeds by livestock. Additional sources of seed dispersal would still be present throughout the allotment. However, under this alternative there would be no presence by the grazing permittee to assist with detection of infestations.

Environmental Consequences, Cumulative Impacts: Under the Proposed Action and No Action alternatives weed infestation and dispersal through livestock transport may increase on a potential of 106 acres of BLM land. This increased risk would be an acceptable level as managed under the grazing lease.

3.3.2 Wetlands and Riparian Zones

Affected Environment: Approximately 0.3 mile of Middle Hunt Creek bisects the allotment. This reach of the creek was assessed on July 30, 2013 and found to be in proper functioning condition. Middle Hunt Creek lies in the bottom of a fairly steep and relatively remote drainage. Many upper elevation riparian grasses and forbs are present and in excellent condition, as is a mature riparian shrub community of several species of willows. Beavers are active in the drainage and fish were observed in the creek, though not identified. Little to no sign of use by livestock was observed.

Environmental Consequences, Proposed and No Action: Livestock use as proposed, primarily as a transitional piece between USFS and private lands in the spring and fall, is relatively light given current conditions and would not adversely impact existing form and function of Middle Hunt Creek.

Environmental Consequences, No Grazing Alternative: Generally speaking, removing livestock grazing would likely improve riparian and wetland resource conditions over the long-term. A decrease in herbivory on riparian vegetation and trampling pressure cause by livestock in riparian areas would increase soil moisture and reduce the potential for erosion and any associated changes to channel geomorphology and wetland form/function, particularly in low and moderate gradient stream where the presence of riparian vegetation is one of the most important factors in maintaining stability.

However, current and proposed livestock use is so light that these typical signs are not apparent. Furthermore, the benefits of removing livestock may not fully be realized if the riparian resource is used by wildlife, particularly large ungulates, since wildlife can also have similar impacts to riparian resources, especially during periods of drought. Also, livestock grazing on adjacent private and other non-federal lands would continue to produce direct effects to riparian resources that may indirectly affect riparian resources on federally managed lands.

Environmental Consequences, Cumulative Impacts: Past, present, and reasonably foreseeable actions that affect riparian areas in the Upper Yampa watershed primarily include ranching and the infrastructural development necessary to support it. The region has been historically grazed (for more than 50 years) and the intensity of livestock use has generally decreased over time. All alternatives would not contribute to any adverse cumulative impact.

3.4 HERITAGE RESOURCES AND HUMAN ENVIRONMENT

3.4.1 Cultural Resources

Affected Environment: The BLM's authorization of grazing permits/leases is considered an undertaking subject to compliance with Section 106 of the National Historic Preservation Act (NHPA). The BLM has the legal responsibility to consider the effects of its actions on cultural resources located on federal land. BLM Manual 8100 Series; the Colorado State Protocol; and BLM Colorado Handbook of Guidelines and Procedures for Identification, Evaluation, and Mitigation of Cultural Resources provide guidance on Section 106 compliance requirements to meet appropriate cultural resource standards. Section 106 of NHPA requires federal agencies to: 1) inventory cultural resources within federal undertaking Areas of Potential Effect (APEs), 2) evaluate the significance of cultural resources by determining National Register of Historic Places (NRHP) eligibility and, 3) consult with applicable federal, state, and tribal entities regarding inventory results, NRHP eligibility determinations, and proposed methods to avoid or mitigate potential impacts to eligible sites.

In Colorado, the BLM's NHPA obligations are carried out under a Programmatic Agreement (PA) among the BLM, the Advisory Council on Historic Preservation, and the State Historic Preservation Officer (SHPO). Should an undertaking be determined to have "no effect" or "no

adverse effect” by the BLM-LSFO archaeologist, the undertaking may proceed under the terms and conditions of the PA. If the undertaking is determined to have “adverse effects,” project-specific consultation is then initiated with the SHPO. Additionally, cultural resources assessment of grazing allotments follows the procedures and guidance of the Colorado BLM State Director as provided in BLM Instructional Memorandums (IMs) IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM CO-2002-29.

The culture history of northwestern Colorado is presented among several recent context studies. Reed and Metcalf’s (1999) study of the Northern Colorado River Basin provides applicable prehistoric and historic overviews as compiled by Frederic J. Athearn (1982) and Michael B. Husband (1984). A historical archaeology context also was prepared for the State of Colorado by Church et al. (2007). Furthermore, significant cultural resources administered by the BLM-LSFO are provided in a Class 1 (archival) overview (McDonald and Metcalf 2006), in addition to valuable contextual data provided by synthesis reports of archaeological investigations conducted for a series of large pipeline projects in the BLM-LSFO management area (Metcalf and Reed 2011; Rhode and others 2010; Reed and Metcalf 2009).

A Class 1 cultural resources assessment was completed for the Middle Hunt Creek Allotment by BLM-LSFO Archaeologist Kim Ryan on September 19, 2013. Data reviewed were obtained from BLM-LSFO cultural program project files, site reports, and atlases, in addition to BLM-maintained General Land Office (GLO) plats and patent records. Electronic files also were reviewed through online cultural resource databases including *Compass* (maintained by the Colorado Office of Archaeology and Historic Preservation) the Routt County Register of Historic Places, and the National Register Information System (NRIS; maintained by the National Park Service). The results of archival research are summarized in the following table; data provided are focused on BLM-administered lands within the specified allotment, and based on information available from the above-referenced sources.

Allotment No. (BLM acres)	BLM Acres Previously Surveyed	BLM Acres <u>NOT</u> Surveyed	Percent of BLM Acres Inventoried Within Allotment	Identified NRHP- Eligible or Needs Data Sites	Estimated Sites Within Allotment*	Estimated NRHP- Eligible or Needs Data Sites Within Allotment*
04190 (106)	9.3	96.7	8.8	0	3	1

*Estimated site density as based on existing inventory data. Estimates may be revised (up or down) by future inventories and/or consultations.

Background research shows one prior cultural resource inventory within the subject allotment covering approximately nine acres; no cultural resources were identified as a result of the prior survey. However, review of historic-age GLO plats shows evidence of features in the vicinity of (and possibly within) the subject allotment such as unnamed roads and various buildings (e.g., “House of Max Hopf” and a cluster of three buildings as depicted on the 1891 and 1943 GLO plats, respectively). Additionally, the Boor-Redmond Ranch (5RT.1401), a Colorado State Register-listed property, is located immediately adjacent to the Middle Hunt Creek Allotment. Associated historic-age features also may exist within the current APE.

Based on the available data for the surrounding vicinity and overall BLM management area, it is estimated that three cultural resource sites (and/or features) exist within the subject allotment, of

which approximately one may be evaluated as NRHP-eligible. As such, cultural resources inventory for a select portion of subject allotment should be conducted within 10 years of lease issuance. Subsequent inventory should focus on potential areas of livestock concentration and where background research indicates the potential for cultural resources. Additionally, identified NRHP-eligible and “needs data” sites should be monitored for potential livestock impacts. If, as a result of new assessment and/or monitoring, NRHP-eligible sites or features are found to exhibit potential for or actively occurring impacts, mitigation measures will be identified and implemented in consultation among the BLM-LSFO and SHPO.

Environmental Consequences, Proposed Action: Direct impacts to historic properties where livestock concentrate may include trampling, chiseling, and churning of site soils, cultural features and artifacts, artifact breakage, and impacts from standing, leaning, or rubbing against historic structures, above-ground cultural features and/or rock art (Broadhead 2001; Osbourn et al. 1987). Indirect impacts from livestock concentrations may include increased soil erosion and gullyng, in addition to increased potential for unlawful artifact collection and/or vandalism of cultural resources. Other indirect impacts may include degradation of the historic setting, thereby detracting from the view-shed and historic feeling of nearby cultural resource sites.

Environmental Consequences, No Action Alternative: Potential impacts to cultural resources for this alternative are the same as the Proposed Action.

Environmental Consequences, No Grazing Alternative: While a no grazing alternative alleviates potential damage from livestock activities, cultural resources are constantly subject to site formation processes or events after creation (Binford 1981; Schiffer 1987). These processes can be both cultural and natural, and may occur instantly or over thousands of years. Cultural formation processes include activities directly or indirectly caused by humans. Natural processes include chemical, physical, and biological processes of the natural environment that impinge upon and/or modify cultural materials.

Environmental Consequences, Cumulative Impacts: Cumulative impacts to historic properties may occur within or adjacent to the allotment, including areas within the allotment view-shed. However, the region has been historically grazed (for more than 50 years) and the intensity of livestock use has generally decreased over time. Any extant historic property within or adjacent to the allotment—and where potential for impacts exist—are more likely to have sustained impacts as a result of prior livestock/grazing activities or other historic land-use activities (e.g., mining, agriculture, etc.). Although continued livestock use may not pose additional, direct impacts in areas where prior grazing was intensive, secondary effects such as increased erosion could cause long-term, irreversible effects to historic properties, where present. Livestock use also has increased ground visibility over time as a result of increased erosion and decreased ground cover, and by the installation and/or removal of range improvements such as stock ponds and pipelines. These factors may result in the exposure of cultural deposits that would otherwise remain obscured or buried, thereby raising the potential for illegal collection of cultural materials.

Mitigation: Cultural resources survey for a select portion of the subject allotment should occur within 10 years of permit/lease issuance with efforts focused on identified areas of livestock concentration (e.g., springs and/or water developments, gates, chutes, etc.). Any cultural

resources identified as NRHP-eligible or “needs data” also should be assessed for potential livestock impacts. Continued livestock use of the area is appropriate, provided that any identified impacts to NRHP-eligible resources are mitigated. Should the BLM-LSFO determine that livestock grazing is having an adverse effect on historic properties, mitigation will be developed in coordination with the SHPO.

References

Athearn, Frederic J.

1982 *An Isolated Empire: A History of Northwest Colorado*. Cultural Resource Series No. 2. Colorado Bureau of Land Management, Denver.

Binford, Lewis R.

1981 Behavioral archaeology and the "Pompeii Premise". *Journal of Anthropological Research* 37(3):195-208.

Broadhead, Wade

2001 *Brief Synopsis of Experiments Concerning Effects of Grazing on Archaeological Sites*. Bureau of Land Management-Gunnison Field Office, Gunnison, Colorado.

Church, Minette C., Steven G. Baker, Bonnie J. Clark, Richard f. Carrillo, Jonathan C. Horn, Carl D. Spath, David R. Guilfoyle, and E. Steve Cassells

2007 *Colorado History: A Context for Historical Archaeology*. Colorado Council of Professional Archaeologists, Denver.

Husband, Michael B.

1984 *Plateau Country Historic Context*. Office of Archaeology and Historic Preservation, Colorado State Historic Preservation Office, Denver.

Metcalf, Michael D and Aland D. Reed

2011 *Synthesis of Archaeological Data Compiled for The Piceance Basin Expansion, Rockies Express Pipeline, and Uinta Basin Lateral Projects Moffat and Rio Blanco Counties, Colorado and Sweetwater County, Wyoming*. Volume 2. Metcalf Archaeological Consultants, Inc., Eagle, Colorado.

McDonald Kae and Michael Metcalf

2006 *Regional Class I Overview of Cultural Resources for the BLM Little Snake Field Office*. Metcalf Archaeological Consultants, Inc. Eagle, Colorado.

Osborn, Alan, Susan Vetter, Ralph Hartley, Laurie Walsh, Jesslyn Brown

1987 *Impacts of Domestic Livestock Grazing in the Archaeological Resources of Capitol Reef National Park, Utah. Occasional Studies in Anthropology No. 20*. Midwest Archaeological Center, Lincoln, Nebraska.

Reed, Alan D. and Michael Metcalf

1999 *Colorado Prehistory: A Context for the Northern Colorado River Basin*. Colorado Council of Professional Archaeologists, Denver.

2009 *Synthesis of Archaeological Data Compiled for The Piceance Basin Expansion, Rockies Express Pipeline, and Uinta Basin Lateral Projects Moffat and Rio Blanco Counties, Colorado and Sweetwater County, Wyoming*. Volume 1. Alpine Archaeological Consultants, Inc., Montrose, Colorado.

Rhode, David, Lisbeth A. Louderback, David Madsen, and Michael D. Metcalf

2010 *Synthesis of Archaeological Data Compiled for The Piceance Basin Expansion, Rockies Express Pipeline, and Uinta Basin Lateral Projects Moffat and Rio Blanco Counties, Colorado and Sweetwater County, Wyoming*. Volume 3. Metcalf Archaeological Consultants, Inc., Eagle, Colorado.

Schiffer, Michael B.

1987 *Formation Processes of the Archaeological Record*. University of New Mexico Press, Albuquerque.

3.4.2 Native American Religious Concerns

Affected Environment: Four Native American tribes have cultural and historical ties to lands administered by the BLM-LSFO. These tribes include the Eastern Shoshone, Ute Mountain Ute, Uinta and Ouray Agency Ute, and the Southern Ute.

American Indian religious concerns are legislatively considered under several acts and Executive Orders including the American Indian Religious Freedom Act, the Native American Graves Environmental Assessment Protection and Repatriation Act, and Executive Order 13007 (Indian Sacred Sites). In sum, and in concert with other provisions such as those found in the NHPA and Archaeological Resources Protection Act, these acts and orders require the federal government to carefully and proactively consider the traditional and religious values of Native American culture and lifeways to ensure, to the greatest degree possible, that access to sacred sites, treatment of human remains, the possession of sacred items, conduct of traditional religious practices, and the preservation of important cultural properties are not unduly infringed upon. In some cases, these concerns are directly related to “historic properties” and “archaeological resources.” Likewise, elements of the landscape without archaeological or human material remains also may be involved. Identification of Native American concerns is normally completed during land-use planning efforts, reference to existing studies, or through direct consultation with tribes.

Consultation for the type of proposed undertaking is consulted on annually with the aforementioned tribes. Letters were sent to the tribes in the spring of 2012 describing general range permits and projects as planned for the 2013 fiscal year. No comments were received. Project-specific consultation is typically not conducted unless activities are proposed within a previously identified area of tribal concern or if an undertaking may involve culturally significant items, sites and/or landscapes.

Environmental Consequences, Proposed Action: Items, sites, or landscapes determined as culturally significant to the tribes can be directly or indirectly impacted. Direct impacts may include, but are not limited to, physical damage, removal of objects or items, and activities construed as disrespectful (e.g., installation of portable toilets near a sacred site). Indirect impacts may include, but are not limited to, prevention of access (hindering the performance of traditional ceremonies and rituals), increased visitation of an area, and potential loss of integrity related to religious feelings and associations.

There are no known items, sites, or landscapes determined as culturally significant to the tribes within or immediately adjacent to the permit/lease area. The proposed action does not prevent access to any known sacred sites, prevent the possession of sacred objects, or interfere with the performance of traditional ceremonies and/or rituals.

Environmental Consequences, No Action Alternative: Potential impacts for this alternative are the same as the Proposed Action.

Environmental Consequences, No Grazing Alternative: None.

Environmental Consequences, Cumulative Impacts: Continued livestock grazing has the additive effect of altering the landscape from that ancestrally known by the tribes. Although specific,

culturally sensitive sites have not been identified within the allotment or immediate vicinity, the overarching concern is for cumulative effects that modern culture and/or developments cause upon the landscape.

Mitigation: There are no known adverse impacts to any culturally significant items, sites, or landscapes. If new information is provided by consulting tribes, additional or edited terms and conditions for mitigation may be required to protect resource values.

3.4.3 PALEONTOLOGICAL RESOURCES

Affected Environment: The BLM has implemented a Potential Fossil Yield Classification (PFYC) system for classifying paleontological resources on public lands. Under the PFYC system, geologic units are classified from Class 1 to Class 5 base on the relative abundance of vertebrate fossils or uncommon invertebrate or plant fossils and their sensitivity to adverse impacts. A higher classification number indicates a higher fossil yield potential and greater sensitivity to adverse impacts. The geologic formation at the surface is the Cretaceous Age Mancos Shale Formation, Juana Lopez Member (Km). This formation has been classified a Class 3 formation for the potential for occurrence of scientifically significant fossils. Scientifically significant fossils are occasionally found within this formation (Armstrong & Wolny, 1989). The potential for discovery of significant fossils on this location is considered to be moderate.

Environmental Consequences, Proposed Action: Activity from cattle could increase erosion which could damage fossils, if present. Erosion could also have a beneficial effect by exposing previously unknown fossils.

Environmental Consequences, No Action Alternative: Same as the Proposed Action.

Environmental Consequences, No Grazing Alternative: None.

Environmental Consequences, Cumulative Impacts: Continued grazing, when combined with the past, present and reasonably foreseeable actions would have the potential to increase identification of previously unrecorded paleontological resources by increasing erosion and exposure of the Mancos formation. Paleontological resources may also continue to be damaged or destroyed by erosion from past present and reasonably foreseeable actions.

Mitigation: Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.

Standard Discovery Stipulation

“If cultural or paleontological resources are discovered during exploration operations under this license, the licensee shall immediately notify the Field Office Manager and shall not disturb such discovered resources until the Field Office Manager issues specific instructions.

- a. Within 5 working days after notification, the Field Office Manager shall evaluate any cultural resources discovered and shall determine whether any action may be required to protect or to preserve such discoveries.
- b. The cost of data recovery for cultural resources discovered during construction operations shall be borne by the licensee, if the licensee is ordered to take any protective measures. Ownership of cultural resources discovered shall be determined in accordance with applicable law.”

References:

Armstrong, Harley J. and Wolny, David G., 1989, Paleontological Resources of Northwest Colorado: A Regional Analysis, Museum of Western Colorado, Grand Junction, CO, prepared for Bureau of Land Management, Vol. I of V.

Miller, A. E., 1977, Geologic Map, Routt County, Colorado, Colo. Geol. Survey Map Series 1, 1:126720

CHAPTER 4 – PUBLIC LAND HEALTH STANDARDS

4.1 INTRODUCTION

The Little Snake Field Office conducted a Land Health Assessment on August 8, 2008 with an interdisciplinary team consisting of a Rangeland Management Specialist, Wildlife Biologist, and Permittee. On July 29, 2013 the Little Snake Field Office conducted a riparian Proper Functioning Condition Assessment with an interdisciplinary team consisting of a Rangeland Management Specialist, Wildlife Biologist, and Ecologist.

4.2 COLORADO PUBLIC LAND HEALTH STANDARDS

In January 1997, the Colorado State Office of the BLM approved the Standards for Public Land Health and amended all RMPs in the State. Standards describe the conditions needed to sustain public land health and apply to all uses of public lands.

4.2.1 Standard 1 Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes.

Finding of most recent assessment: Based on the 2008 and 2013 assessments, this standard is being met.

Proposed Action and No Action Alternative: Standard would continue to be met under either alternative.

No Grazing Alternative: Standard would continue to be met, no beneficial impacts would be incurred.

4.2.2 Standard 2 Riparian systems associated with both running and standing water function properly and have the ability to recover from major disturbance such as fire, severe grazing, or 100-year floods.

Finding of most recent assessment: Based on the July 2013 assessment, this standard is being met.

Proposed Action and No Action Alternative: Standard would continue to be met under either alternative.

No Grazing Alternative: Standard would continue to be met, no beneficial impacts would be incurred.

4.2.3 Standard 3 Healthy, productive plant and animal communities of native and other desirable species are maintained at viable population levels commensurate with the species and habitat's potential.

Finding of most recent assessment: Standard is being met.

Proposed Action and No Action Alternative: Standard would continue to be met.

No Grazing Alternative: Standard would continue to be met, no beneficial impacts would be incurred.

4.2.4 Standard 4 Special status, threatened and endangered species (federal and state), and other plants and animals officially designated by the BLM, and their habitats are maintained or enhanced by sustaining healthy, native plant and animal communities.

The Middle Hunt Creek does not provide habitat for any special status animal or plant species. This standard does not apply.

4.2.5 Standard 5 The water quality of all water bodies, including ground water where applicable, located on or influenced by BLM lands will achieve or exceed the Water Quality Standards established by the State of Colorado.

Finding of most recent assessment: Standard is being met.

Proposed Action and No Action Alternative: Standard would continue to be met.

No Grazing Alternative: Standard would continue to be met, no beneficial impacts would be incurred.

SIGNATURE OF PREPARER:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

Finding of No Significant Impact
DOI-BLM-CO-N010-2013-0078-EA

Based upon a review of this Environmental Assessment and the supporting documents, I have determined that the Proposed Action is not a major federal action and will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity, as defined at 40 CFR 1508.27 and do not exceed those effects as described in the Little Snake Record of Decision and Resource Management Plan (2011). An environmental impact statement is not required. This finding is based on the context and intensity of the project as described below.

Context: The project is a site-specific action directly involving BLM administered public lands that do not in and of itself have international, national, regional, or state-wide importance.

Intensity: The following discussion is organized around the 10 Significance Criteria described at 40 CFR 1508.27. The following have been considered in evaluating intensity for this Proposed Action:

1. Impacts that may be both beneficial and adverse

The beneficial effects of the Proposed Action includes: in authorizing public land grazing this action sustains the local economy as grazing operations would continue to supply personal income to the operator and employees, and would have a proportional influence on the regional, Colorado, and national economy. This action supports the western livestock industry. The authorized livestock operator(s) have mandatory and special terms and conditions that must be met to maintain their grazing preference. This provides a certain level of stewardship of public lands in that if these lands were to become degraded by any activity or event, natural or human in origin, grazing and or other authorized uses would be terminated. This stewardship role of the livestock operator not only mandates proper livestock and forage management but also provides communication with the BLM as to other activities or events that could cause degradation to public lands. Long term effects would be limited in scope.

2. Degree of effect on public health and safety

There would be no effects on public health and safety.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas

There are no park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas in the area of Proposed Action. As described in the EA, impacts to cultural resources were identified for the Proposed Action. As this action is not a new action but a continuation of historic land uses in this area there would be no affect to unique characteristics of the geographic area.

4. Degree to which the possible effects on the quality of the human environment are likely to be highly controversial

Public input regarding the Proposed Action has been solicited during the planning process. The BLM Little Snake Field Office sent out a Notice of Public Scoping on December 15, 2010 to determine the level of public interest, concern, and resource conditions on the grazing authorizations that were up for renewal in FY 2012. A Notice of Public Scoping was posted on the Internet, at the Colorado BLM Home Page, asking for public input on permit/lease renewals. Individual letters were sent to the affected permittees/lessees, informing them their permit/lease was up for renewal and requesting any information they wanted included in or taken into consideration during the renewal process. No comments were received.

5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk

No highly uncertain or unknown risks to the human environment were identified during analysis of the Proposed Action.

6. Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration

The Proposed Action neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about a future consideration.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts

No individually or cumulatively significant impacts were identified for the Proposed Action. Any adverse impacts identified for the Proposed Action, in conjunction with any adverse impacts of other past, present, or reasonably foreseeable future actions will result in negligible impacts to natural and cultural resources.

8. Degree to which the action may adversely affect district, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources:

There would be no loss or destruction to these resources. A cultural resources study is initiated prior to any action considered and undertaken under Section 106 of the National Historic Preservation Act. Any adverse effects to Historic Properties are mitigated in consultation with the Colorado Office of Archaeology and Historic Preservation (SHPO).

9. Degree to which the action may adversely affect an endangered or threatened species or its critical habitat

There are no threatened or endangered species or habitats for such species present within these allotments.

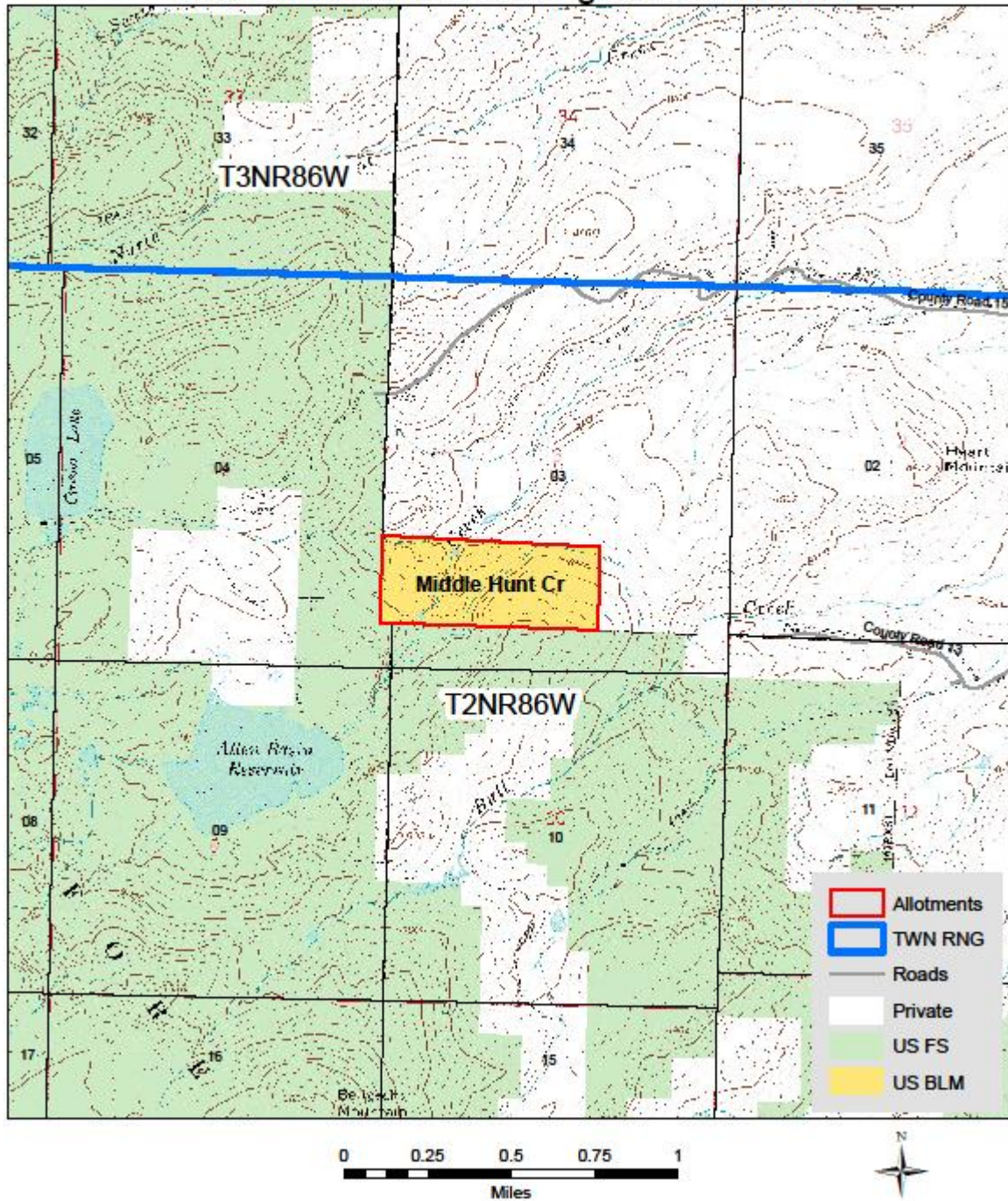
10. Whether the action threatens a violation of federal, state, or local environmental protection law

The Proposed Action violates no federal, state, or local environmental protection laws.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Wendy Reynolds
Wendy Reynolds, Field Manager

DATE SIGNED: 11/18/13

Attachment 1
DOI-BLM-CO-N010-2013-0078-EA
Middle Hunt Creek Grazing Lease Renewal



ATTACHMENT #2
DOI-BLM-CO-N010-2013-0078-EA
TERMS AND CONDITIONS

Standard Terms and Conditions

- 1) Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
- 2) They are subject to cancellation, in whole or in part, at any time because of:
 - a. Noncompliance by the permittee/lessee with rules and regulations;
 - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based;
 - c. A transfer of grazing preference by the permittee/lessee to another party;
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described;
 - e. Repeated willful unauthorized grazing use;
 - f. Loss of qualifications to hold a permit or lease.
- 3) They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits and leases when completed.
- 4) Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
- 5) The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
- 6) The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
- 7) Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
- 8) Livestock grazing use that is different from that authorized by a permit or lease **MUST** be applied for prior to the grazing period and **MUST** be filed with and approved by the authorized officer before grazing use can be made.
- 9) Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.

- 10) Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
- 11) No member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

Common Terms and Conditions

- A) Grazing use will not be authorized in excess of the amount of specified grazing use (AUM number) for each allotment. Numbers of livestock annually authorized in the allotment(s) may be more or less than the number listed on the permit/lease within the grazing use periods as long as the amount of specified grazing use is not exceeded.
- B) Unless there is a specific term and condition addressing utilization, the intensity of grazing use will insure that no more than 50% of the key grass species and 40% of the key browse species current year's growth, by weight, is utilized at the end of the grazing season for winter allotments and the end of the growing season for allotments used during the growing season. Application of this term needs to recognize recurring livestock management that includes opportunity for regrowth, opportunity for spring growth prior to grazing, or growing season deferment.
- C) Failure to maintain range improvements to BLM standards in accordance with signed cooperative agreements and/or range improvement permits may result in the suspension of the annual grazing authorization, cancellation of the cooperative agreement or range improvement permit, and/or the eventual cancellation of this permit/lease.
- D) Salt and/or mineral supplements shall be placed at least on-quarter mile from water sources or in such a manner as to promote even livestock distribution within the allotment or pasture.
- E) Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further,

pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

The operator is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any allotment activities or grazing activities, the operator is to immediately stop activities in the immediate vicinity and immediately contact the authorized officer. Within five working days the authorized officer will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places;
- the mitigation measures the operator will likely have to undertake before the identified area can be used for grazing activities again.

If paleontological materials (fossils) are uncovered during allotment activities, the operator is to immediately stop activities that might further disturb such materials and contact the authorized officer. The operator and the authorized officer will consult and determine the best options for avoiding or mitigating paleontological site damage.

- F) No hazardous materials/hazardous or solid waste/trash shall be disposed of on public lands. If a release does occur, it shall immediately be reported to this office at (970) 826-5000.
- G) The permittee/lessee shall provide reasonable administrative access across private and leased lands to the BLM and its agents for the orderly management and protection of public lands.
- H) Application of a chemical or release of pathogens or insects on public lands must be approved by the authorized officer.
- I) The terms and conditions of this permit/lease may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.